

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MONTANA
HELENA DIVISION

IN THE MATTER OF LITIGATION
RELATING TO CONDITIONS OF
CONFINEMENT AT MONTANA
STATE PRISON

CV 93-46-H-KLD

ORDER

THIS DOCUMENT RELATES TO:

Terry LANGFORD, *et al.*,

Plaintiffs,

vs.

Gov. Greg GIANFORTE, *et al.*,

Defendants.

Having considered the Parties' Joint Motion to Terminate Litigation, and good cause appearing, it is ORDERED that the motion is GRANTED.

Upon agreement of the parties, and pursuant to 18 U.S.C. § 3626(b)(4), the Court hereby FINDS that Defendants have complied with the requirements set forth in Part III of the parties' February 23, 2018 Settlement Agreement (Doc. 1542, Ex. A).

IT IS ORDERED that on or before September 30, 2025, Defendants will provide Plaintiffs' counsel and post on their website the results of the next annual

architectural barrier survey. Defendants are strongly encouraged to continue to make these self-audits available to the public and members of the Montana Legislature for purposes of transparency and accountability.

IT IS FURTHER ORDERED that within 30 days of this Order, the parties will separately negotiate in good faith to resolve any outstanding claims for monitoring fees and expenses, in accordance with Part VI of the Settlement Agreement, and if necessary, with the assistance of the court-appointed mediator Ed Swanson. IT IS FURTHER ORDERED that should the parties not reach agreement within 30 days of this Order, that Plaintiffs shall have the right to file a motion for fees and expenses.

Without affecting the finality of this Order, the Court shall retain jurisdiction for 60 days from the date of this Order for the filing of any motion for fees and expenses. *Kokkonen v. Guardian Life Ins. Co. of Amer.*, 511 U.S. 375, 379 (1994) (ancillary enforcement jurisdiction permits a court to “manage its proceedings, vindicate its authority, and effectuate its decrees”). If no motion for fees is filed within 60 days of this Order, then the Court shall close this case.

Nothing in this Order releases any individual class member’s claims for damages or injunctive relief. *See Pride v. Correa*, 719 F.3d 1130 (9th Cir. 2013).

Judgment shall be entered accordingly.

IT IS SO ORDERED.

DATED this 17th day of September, 2024.

A handwritten signature in blue ink, reading "Kathleen L. DeSoto". The signature is written in a cursive style with a large initial "K".

Kathleen L. DeSoto
United States Magistrate Judge